

BOARD OF APPEAL REFERRALS

August 26, 1982

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6. Z-5772 Museum of Fine Arts
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11. Z-5793 and Z-5813-5815 Lower Mills Associates (purchaser)
Frank Keefe, Joseph Linsey
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Millers Lane SWS, 1173 Washington Street, Dorchester
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13. Z-5804 Burger King Corporation
645 Commonwealth Avenue, Boston
14. Z-5805 Burger King Corporation
208-218 Brighton Avenue, Allston

MEMORANDUM

August 26, 1982

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/14/82

Z-5731
Barry D. Hoffman, Trustee
739 Boylston Street, Boston
near Exeter Street

Six-story structure

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

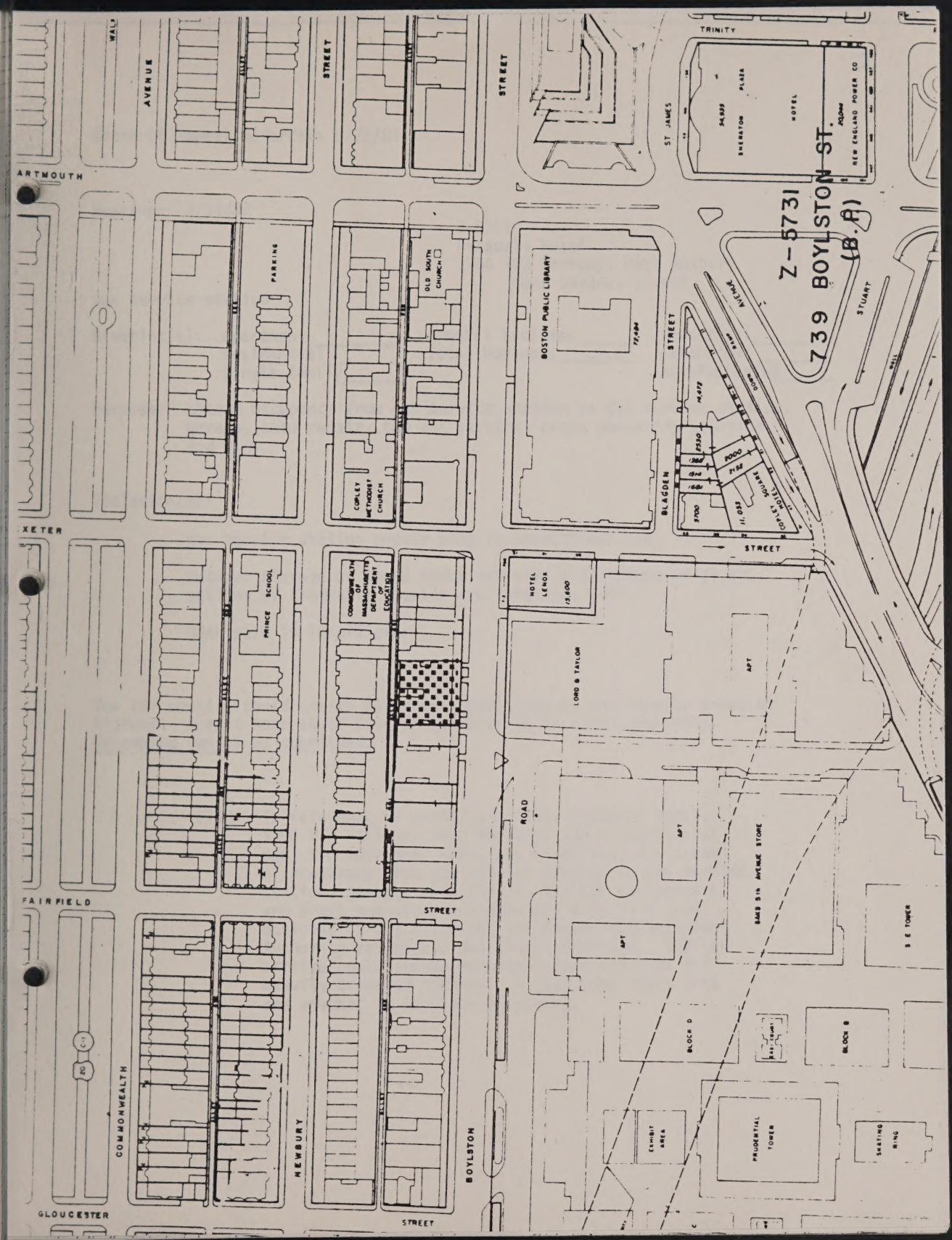
Purpose: increase capacity of school: 32 to 60 students.

Violation(s):

Increase of conditional use.

Computer programming school is consistent with similar technical school facilities in this commercial area. Proposal will not have an adverse impact. Recommend approval.

VOTED: In reference to petition Z-5731, Barry D. Hoffman, Trustee, 739 Boylston Street, Boston, for a conditional use to increase capacity of school from 32 to 60 students in a general business (B-10-155) district, the Boston Redevelopment Authority recommends approval. Computer programming school is consistent with similar technical school facilities in this commercial area. Proposal will not have an adverse impact.



Board of Appeal Referrals 8/26/82

Hearing: 9/14/82

Z-5751
 Pasquale Nuzzi
 1200 VFW Parkway, West Roxbury
 near Gardner Street

Gas service station

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business <u>L-.5</u>	waterfront _____
	single family _____		manufacturing _____

Purpose: change occupancy from gas service station to gas service station, garage, auto repair, tow car service; erect one-story addition and sign.

Violation(s):

Gas service station repair shop is conditional use.

Outdoor storage of towed motor vehicles and storage of 19,000 gallons of flammable liquids are forbidden uses.

Rear yard is insufficient.

Tow car service could create hazardous conditions on the heavily traveled highway. A rest home abuts site and another is in close proximity.
Recommend denial as submitted.

VOTED: In reference to petition Z-5751, Pasquale Nuzzi, 1200 VFW Parkway, West Roxbury, for a conditional use, two forbidden uses, and a variance for change of occupancy from gas service station to gas service station, garage, auto repair, and tow car service and erect one-story addition and sign in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial as submitted. Tow car service could create hazardous conditions on the heavily traveled highway. A rest home abuts site and another is in close proximity.



Z-5751

1200 V.F.W. PARKWAY

(W.R.)

Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5765

Trustees of Boston University
771 Commonwealth Avenue, Boston
near University Road

District(s): apartment H-4 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect one-story addition.

Violation(s):

Extension of pre-existing conditional use.

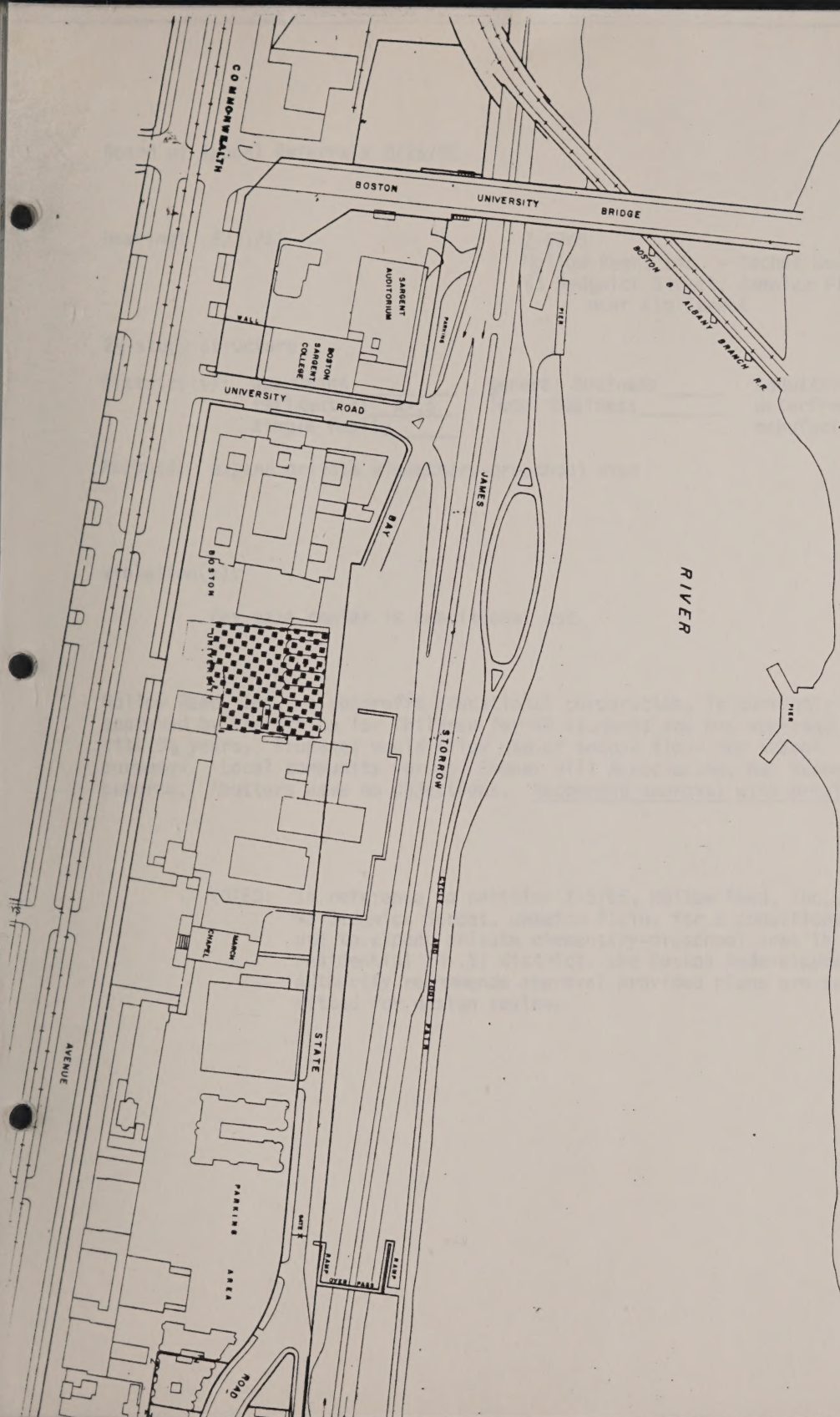
Proposal would extend entrance of library building on Charles River campus;
consistent with cooperation agreement. Recommend approval with proviso.

VOTED: In reference to petition Z-5765, Trustees of Boston University, 771 Commonwealth Avenue, Boston, for a conditional use to erect a one-story addition to university library in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Proposal is consistent with City of Boston—Boston University cooperation agreement.

CAMBRIDGE

Z-5765

771 COMMONWEALTH AVE.
(BRI.)



4
Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5766

Hollow Reed, Inc. - Rachel Wood, President
93 Sedgwick Street, Jamaica Plain
near Elm Street

2½-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-.5</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: expand private elementary-preschool area

Violation(s):

Day care center is conditional use.

Hollow Reed, Inc., a nonprofit educational corporation, is currently approved by the Office for Children for 49 students and has operated at site 3½ years. Proposal would allow use of second floor for school purposes. Local community group, Sumner Hill Association, has supported program. Abutters have no objections. Recommend approval with proviso.

VOTED: In reference to petition Z-5766, Hollow Reed, Inc., 93 Sedgwick Street, Jamaica Plain, for a conditional use to expand private elementary-preschool area in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



93 SEDGWICK ST

Z-5766

(J.F.)

Board of Appeal Referrals 8/5/82 - Tabled
8/26/82 - Resubmitted

Hearing: 8/31/82

Z-5769
Congress Realty Trust
Daniel Shapiro, Trustee
326-330 Congress Street, Boston
near Sleeper Street

Six-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-4

Purpose: change occupancy from warehouse and offices to ten apartments
and offices.

Violation(s):

Multi-family dwelling is conditional use.

Development is consistent with residential-office uses in area.
Recommend approval with provisos.

VOTED: In reference to petition Z-5769, Congress Realty Trust,
326-330 Congress Street, Boston, for a conditional use
for change of occupancy from warehouse and offices to
ten apartments and offices in a manufacturing (M-4)
district, the Boston Redevelopment Authority recom-
mends approval provided plans including parking are
submitted to the Authority for design review and
appellant provides living-working facilities for
artists in area.



FORT

POINT

CHANNEL

PARKING AREA

CONGRESS

BUNKER

PERHEAD

AND

BULKHEAD
PARKING AREA

SLEEPER

SLEEPER STREET

FARNSWORTH

STREET

PITTSBURGH

STREET

SYLLINGS

PARKING

STREET

STREET

CLARK ROAD

PARKING

NEW YORK
NEW HAVEN & HARTFORD
RAILROAD

326-30 CONGRESS ST.
(B.P.)
Z-5769

AVENUE

Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5772
Museum of Fine Arts
20 Museum Road, Boston
near Huntington Avenue

One-story structure

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

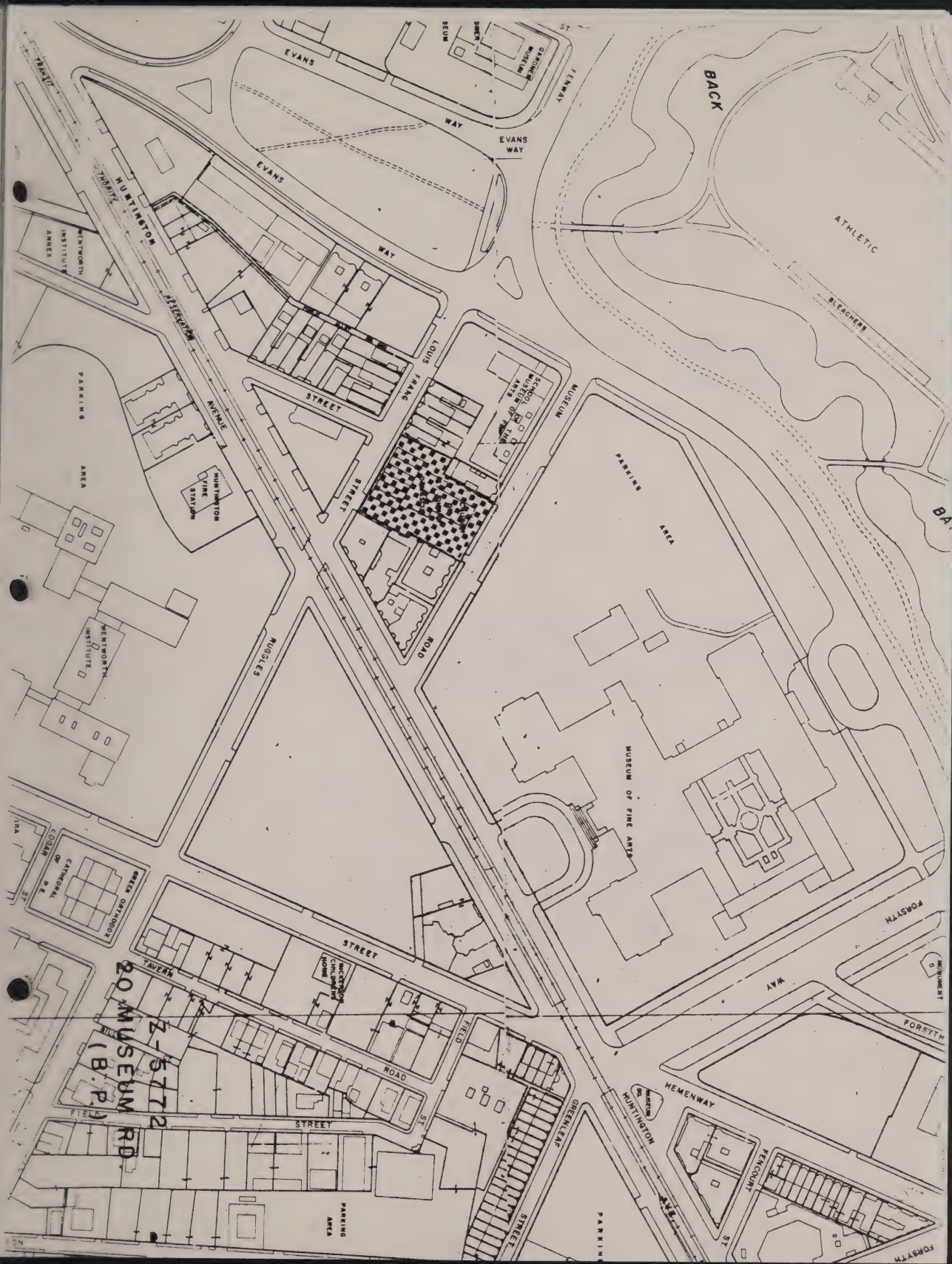
Purpose: change occupancy from church, auditorium, and classrooms to
classrooms and accessory storage.

Violation(s):

School is conditional use.

Church has not been used for more than two years. Proposal is consistent
with immediate institutional area. Recommend approval with proviso.

VOTED: In reference to petition Z-5772, Museum of Fine Arts,
20 Museum Road, Boston, for a conditional use for
change of occupancy from church, auditorium, and
classrooms to classrooms and accessory storage in an
apartment (H-2) district, the Boston Redevelopment
Authority recommends approval with the following
proviso: that any future plan for removal of the
church building be subject to Authority approval.



Board of Appeal Referrals 8/26/82

Hearing: 9/28/82

Z-5780
R.K.P.S.R. Realty Trust
Kathleen Tardanico, Trustee
619 Columbia Road, Dorchester
near Stoughton Street

One-story structure

District(s):	apartment_____	general business B-1_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: legalize two wall-mounted signs and one free-standing sign.

Violation(s):

Area of signs is excessive.

Former gas service station was converted to a glass shop and petitioner changed content of existing signs. Virginia Monadnock Neighborhood Association is opposed because of incompatibility of signs with surrounding residential neighborhood. Recommend denial without prejudice.

VOTED: In reference to petition Z-5780, R.K.P.S.R. Realty Trust, 619 Columbia Road, Dorchester, for a conditional use to legalize three signs in a general business (B-1) district, the Boston Redevelopment Authority recommends denial without prejudice. Virginia Monadnock Neighborhood Association is opposed because of incompatibility of signs with surrounding residential neighborhood. Plans should be submitted to the Authority for comprehensive sign design review.

ROCKING
AREA



5780
619 COLUMBIA RD
(DOR)

Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5783
Charles Todesco
248 Metropolitan Avenue, Roslindale
near Poplar Street

Vacant land - 8569 square feet

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: erect one-family dwelling.

Violation(s):

Lot width and lot frontage are insufficient.

Minimal violation of ten feet. Petitioner's home abuts site on right side.
Abutter on left side has no objections. Recommend approval.

VOTED: In reference to petition Z-5783, Charles Todesco,
248 Metropolitan Avenue, Roslindale, for two
variances to erect a one-family dwelling in a
single-family (S-.5) district, the Boston
Redevelopment Authority recommends approval.
Violation minimal. Petitioner's home abuts site
on right side. Abutter on left side has no
objection.

Z-5783

248 METROPOLITAN AVE.

(ROS.)



Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5787-5788
Anthony F., Jr., and Jeannine Cassis
685-687a East Fifth Street, South Boston
near M Street

Two two-story structures; one-story two-car garage.

District(s): apartment H-1-50 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize two-family dwelling; use premises for ancillary parking of cars and trucks; change occupancy from storage to electrical contracting, storage, assembly of electrical contracting materials and supplies in building and rear yard.

Violation(s):

Ancillary parking of motor vehicles and contractor's equipment is forbidden use.

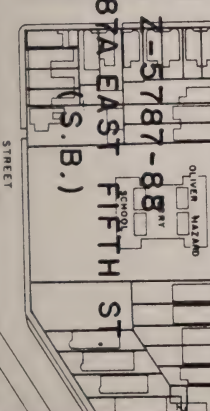
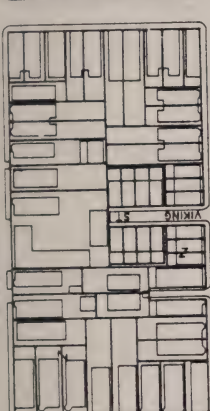
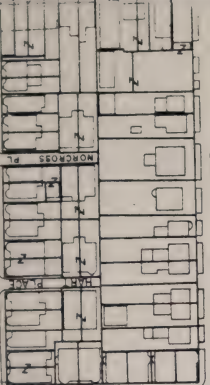
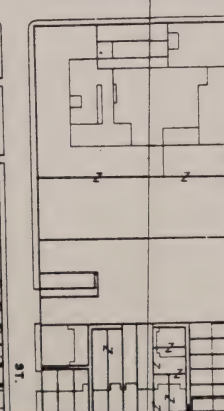
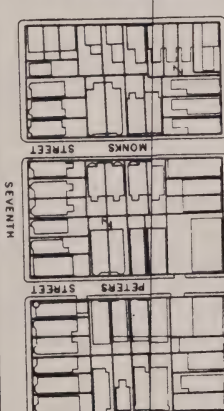
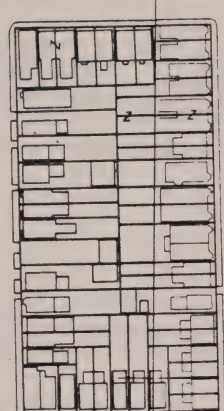
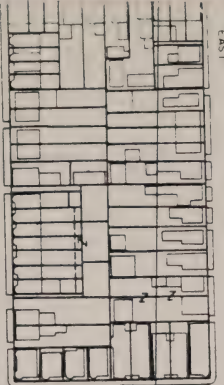
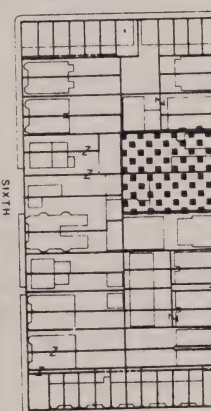
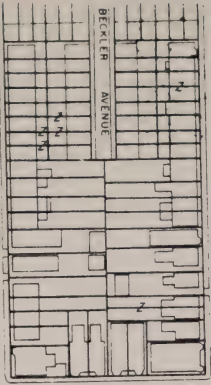
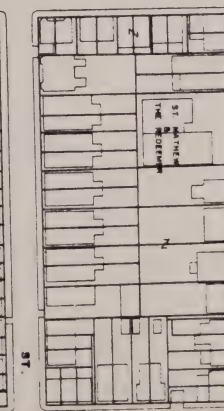
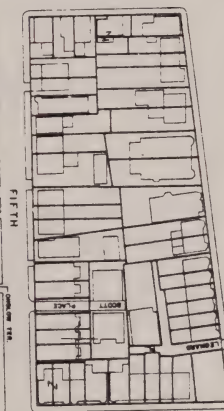
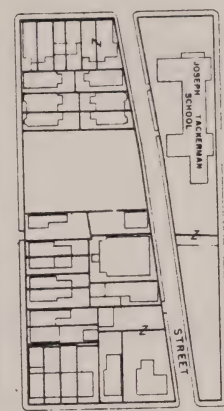
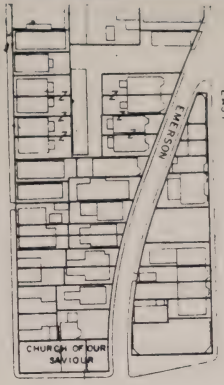
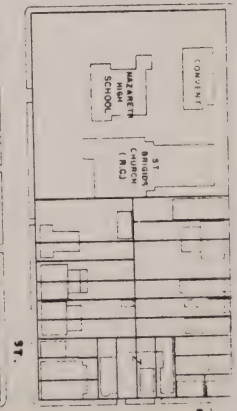
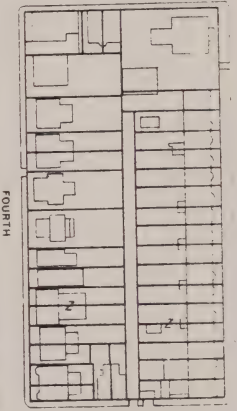
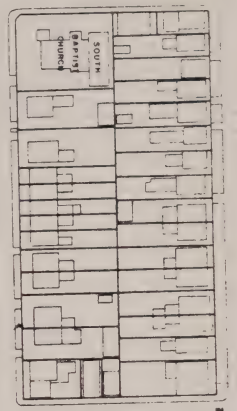
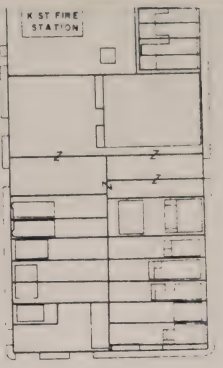
Contractor's yard is forbidden use.

Change in nonconforming use.

Lot area and open space are insufficient.

Proposal is inappropriate for site, located in middle of residential block. Contractor's yard would have a serious impact, introducing unwanted commercial traffic, creating hazards for neighborhood residents. Recommend denial.

VOTED: In reference to petitions Z-5787-5788, Anthony F., Jr., and Jeannine Cassis, 685-687a East Fifth Street, South Boston, for two forbidden uses, change in nonconforming use, and two variances to legalize two-family dwelling, uses premises for ancillary parking of cars and trucks, change occupancy from storage to electrical contractor's business in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial. Proposal is inappropriate for site, located in middle of residential block. Contractor's yard would have a serious impact, introducing unwanted commercial traffic creating hazards for neighborhood residents.



Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

Z-5792
Elizabeth M. Thompson
325 K Street, South Boston
near East Seventh Street

2½-story structure

District(s):	apartment <u>H-1-50</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: legalize occupancy for two-family dwelling.

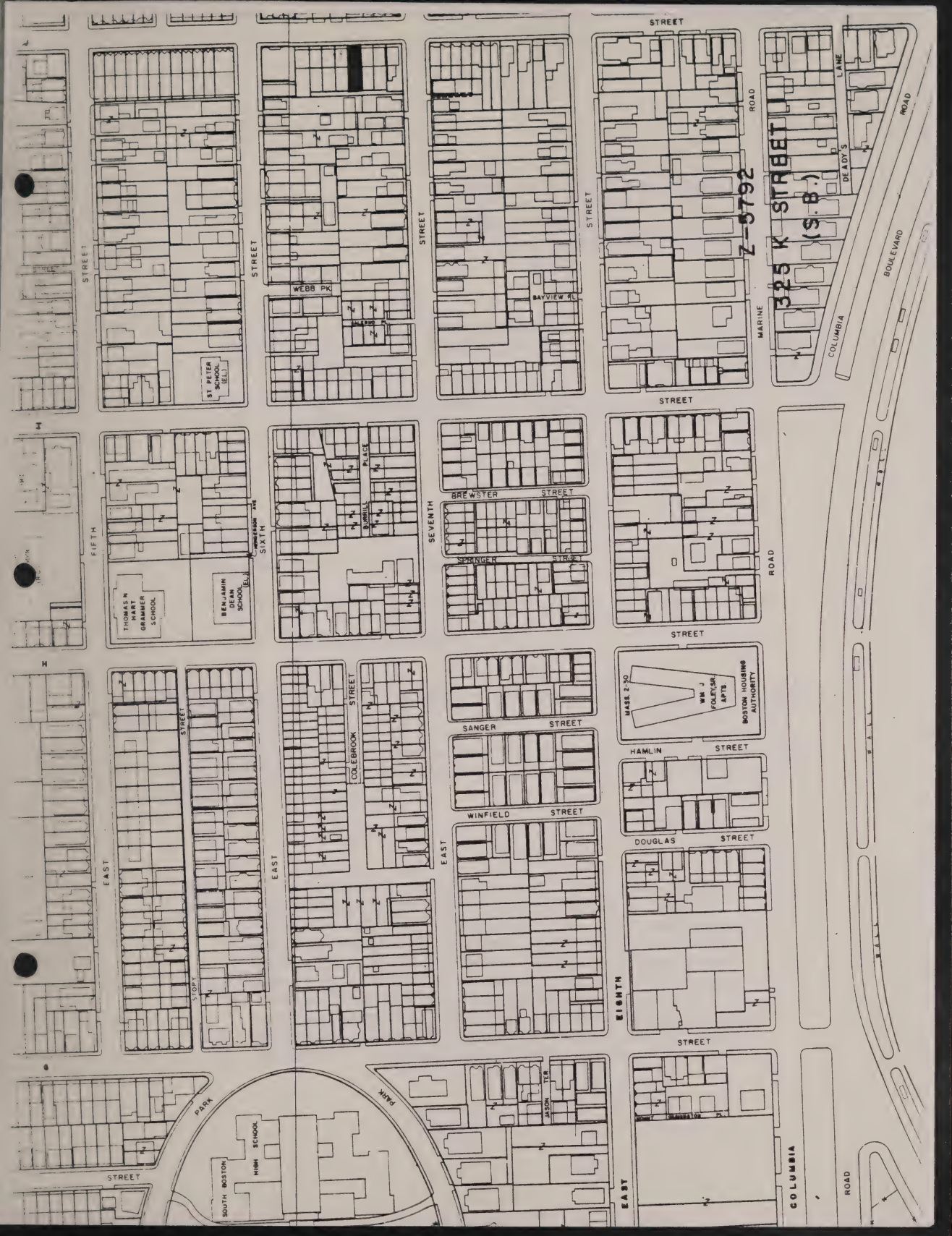
Violation(s):

Dwelling converted for more families which does not meet open space requirements is forbidden use.

Lot area and open space are insufficient.

Occupancy consistent with surrounding properties. Recommend approval.

VOTED: In reference to petition Z-5792, Elizabeth M. Thompson, 325 K Street, South Boston, for a forbidden use and two variances to legalize occupancy for two-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Occupancy consistent with surrounding properties.



Board of Appeal Referrals 8/26/82

Hearing: 8/31/82

11
Z-5793 and -5813-5815
Lower Mills Associates (purchaser)
Frank Keefe, Joseph Linsey
1208-1212 Adams Street, 1231 Adams Street,
Millers Lane SWS, 1173 Washington Street,
Dorchester

Six-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2 _____

Purpose: change occupancy from manufacture of chocolate products to 57
apartments; subdivide; combine lots and provide ancillary parking.

Violation(s):

Multifamily dwelling is conditional use.

Floor area ratio is excessive.

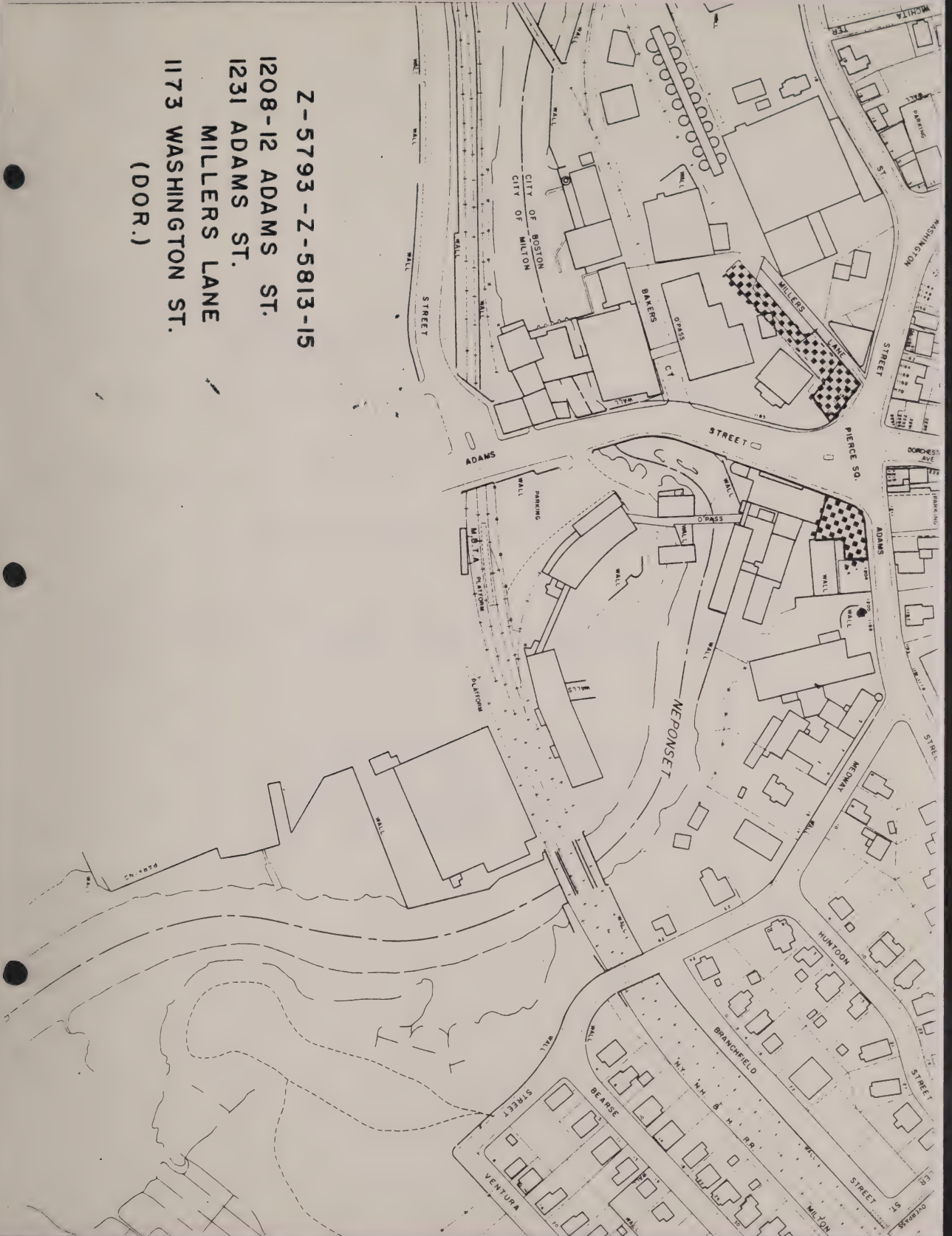
Side yard, setback of parapet, and off-street parking are insufficient.

Ancillary parking is conditional use.

Site, Adams Mill building, is a portion of the former Baker Chocolate Company complex. Rehabilitation-conversion will create 57 below-market-rate rental housing units - 39 one-bedroom, 12 two-bedroom, and 6 studio apartments. Parking for 58 cars will be provided within 400 feet. Developer has reviewed proposal with Lower Mills Civic Association. Community supports proposal.
Recommend approval with proviso.

VOTED: In reference to petitions Z-5793 and Z-5813-5815, Lower Mills Associates, 1208-1212 Adams Street, 1231 Adams Street, Millers Lane SWS, 1173 Washington Street, Dorchester, for four conditional uses and four variances to subdivide, change occupancy from manufacture of chocolate products to 57 apartments, combine lots, and provide ancillary parking in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-5793 - Z-5813-15
1208-12 ADAMS ST.
1231 ADAMS ST.
MILLERS LANE
1173 WASHINGTON ST.
(DOR.)



Board of Appeal Referrals 8/26/82

Hearing: 9/14/82

Z-5795
Kenneth L. Freed
103 Beacon Street, Boston
near Arlington Street

Five-story structure

District(s): apartment H-3-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: alter existing attic space in seven-unit apartment structure.

Violation(s):

Floor area ratio and height of building are excessive.

Petitioner proposes to raise roof approximately 2½ feet to convert attic space to living area. Violations minimal; no adverse impact. Recommend approval.

VOTED: In reference to petition Z-5795, Kenneth L. Freed, 103 Beacon Street, Boston, for two variances to alter existing attic space in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends approval. Violations minimal; no adverse impact.



STORROW

JAMES

STORROW

STORROW

MEMORIAL

STREET

EMERSON RD

2 AVER

ST

ST

BEACON

DARTMOUTH

MARLBOROUGH

COMMONWEALTH

COMMONWEALTH

WALK

CLARENDON

BERKLEY

STREET

ARLINGTON

AVENUE

AVENUE

EMERSON

CHURCH

103 BEACON ST

(B. P.)

Z-5795

ST.

ARLINGTON
STREET
CHURCH

CHURCH OF THE
COVENANT

FIRST
UNITARIAN
CHURCH

FIRST
UNITARIAN
CHURCH
IN
DARTMOUTH

FIRST
DARTMOUTH
CHURCH

Board of Appeal Referrals 8/26/82

Hearing: 9/21/82

Z-5804
Burger King Corporation
645 Commonwealth Avenue, Boston
near Granby Street

One-story structure

District(s): apartment H-4 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect two additions to restaurant.

Violation(s):

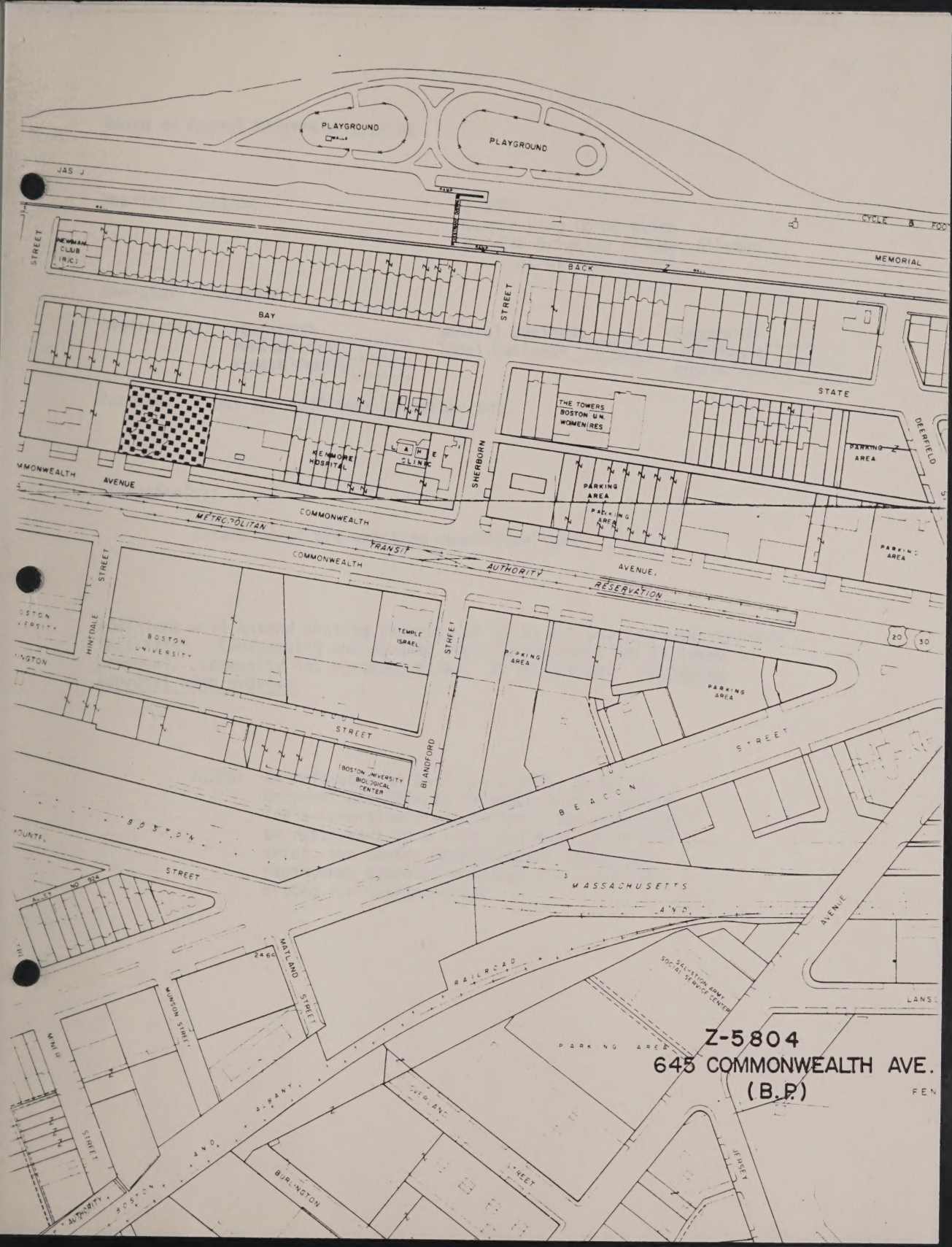
Drive-in restaurant is forbidden use.

Extension of a nonconforming use.

Front yard is insufficient.

Proposed front and side additions will increase seating capacity of 104 to 154 and provide a drive-through window. Landscaping and parking areas will also be improved. Plans have been reviewed with community. No objections.
Recommend approval with proviso.

VOTED: In reference to petition Z-5804, Burger King Corporation, 645 Commonwealth Avenue, Boston, for a forbidden use, extension of a nonconforming use, and a variance to erect two additions to restaurant in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



Z-5804
645 COMMONWEALTH AVE.
(B.P.)

Board of Appeal Referrals 8/26/82

Hearing: 9/21/82

Z-5805
Burger King Corporation
202-218 Brighton Avenue, Allston
at Allston Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____L-1_____	waterfront_____
	single family_____		manufacturing_____

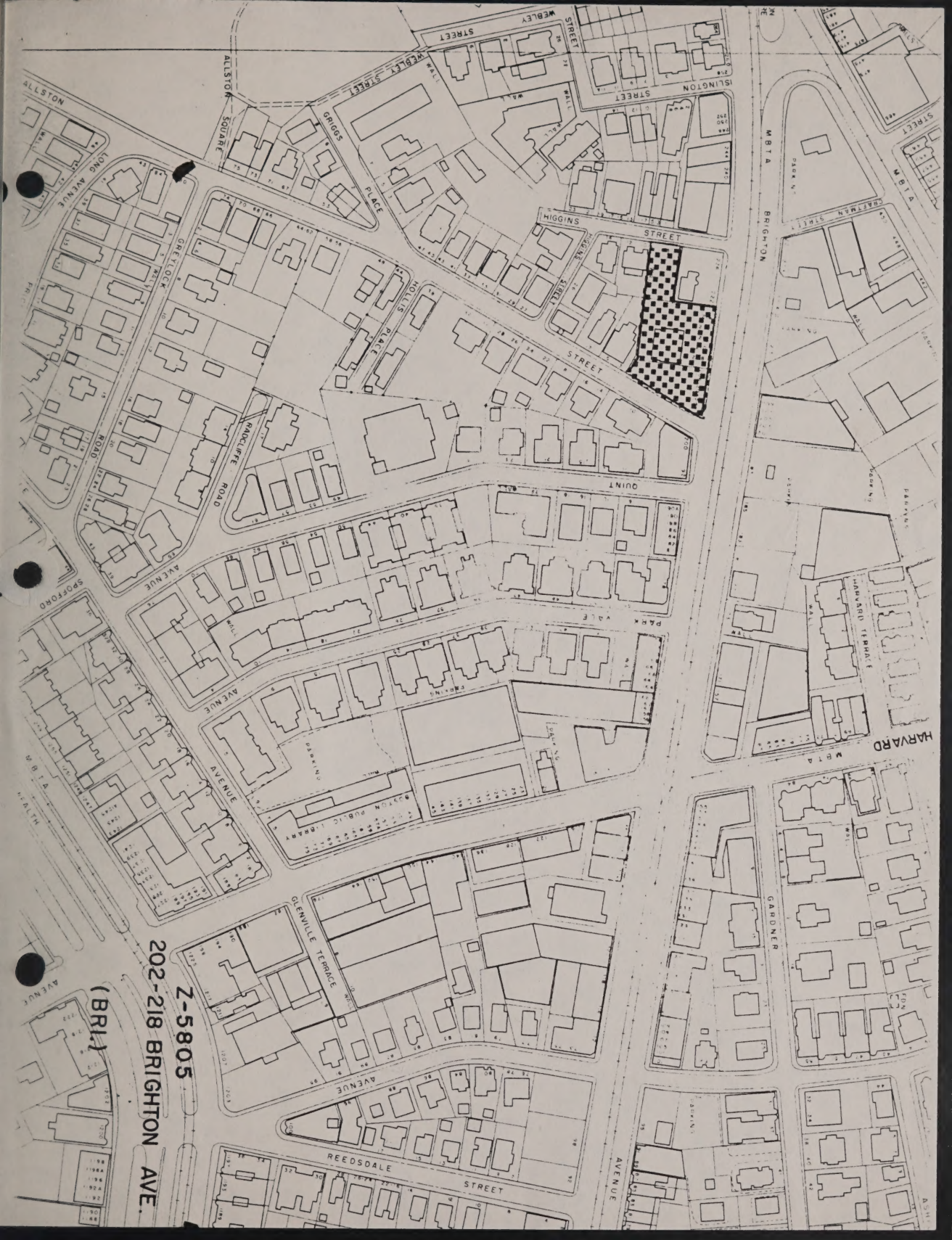
Purpose: erect two additions to restaurant.

Violation(s):

Extension of pre-existing conditional use.

Additions will extend seating capacity of 65 to 115 and increase restroom facilities. Landscaping and parking area improvements are included in proposal. Community has reviewed plans. No objections. Recommend approval with proviso.

VOTED: In reference to petition Z-5805, Burger King Corporation, 202-218 Brighton Avenue, Allston, for a conditional use to erect two additions to restaurant in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



202-218 BRIGHTON AVE.
(BRI.)

Z-5805

